



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2004 AUG -4 PM 3:35

In re Application No: 09/103,873  
Applicants: Yoshihisa Nagano et al.  
Filed: June 24, 1998  
Title: SEMICONDUCTOR DEVICE AND METHOD FOR FABRICATING THE SAME  
T.C./A.U.: 2815  
Examiner: Jose R. Diaz  
Docket No.: YAO-3950

OR



Patent No:  
Issued:

**REQUEST FOR REFUND**  
(Improper Charge of Deposit Account)

Mail Stop 16  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**I. REFUND REQUEST**

This is a request for refund with respect to the charge to Deposit Account No. 18-0350 shown on the statement dated July 2004 for the above-identified ☒ application/☐ patent.



Accompanying this request is a copy of the monthly statement on which the referred error is listed.

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PATENT MAINTENANCE  
DIVISION  
YAO-3050

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**II. FEES CHARGED FOR WHICH REFUND IS REQUESTED**

|                                     |   | Amount of Refund Requested |           |
|-------------------------------------|---|----------------------------|-----------|
| <input type="checkbox"/>            | Filing Fee  | \$                         | 0         |
| <input type="checkbox"/>            | Surcharge for filing the basic filing fee on a date later than the filing date of the application (37 CFR 1.16(e))    | \$                         | 0         |
| <b>AND/OR</b>                       |   |                            |           |
| <input type="checkbox"/>            | Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 CFR 1.16(e)) | \$                         | 0         |
| <input type="checkbox"/>            | Extension of time - months  | \$                         | 0         |
| <input checked="" type="checkbox"/> | Excess claims   | \$                         | 54        |
| <input type="checkbox"/>            | Issue Fee   | \$                         | 0         |
| <input type="checkbox"/>            | Petition Fee  | \$                         | 0         |
| <input type="checkbox"/>            | Patent Maintenance Fee - year   | \$                         | 0         |
| <input type="checkbox"/>            | Patent Maintenance Fee Surcharge  | \$                         | 0         |
| <input type="checkbox"/>            | Other (please explain)  | \$                         | 0         |
| <b>TOTAL REFUND REQUESTED</b>       |   | <b>\$</b>                  | <b>54</b> |

**III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

All claim fees incurred during the prosecution of the above mentioned application have been paid for by check.

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**IV. MANNER OF REFUND**

Please make refund by:

- ☒ crediting Deposit Account No. 18-0350.  
☐ refunding payment.

Respectfully submitted,

Daniel N. Calder

Daniel N. Calder, Reg. No. 27,424  
Attorney for Applicants

DNC/lcf

☒ Attachment: Copy of the monthly statement on which the referred error is listed

Dated: July 26, 2004

P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

LCF\_I:\YAO\3950\REQUEST FOR REFUND.072604.DOC

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**United States  
Patent and  
Trademark Office**

DIVISION

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**Deposit Account Statement****Requested Statement Month:**

July 2004

**Deposit Account Number:**

180350

**Name:**

RATNER AND PRESTIA

**Attention:****Address:**

P O BOX 980

**City:**

VALLEY FORGE

**State:**

PA

**Zip:**

19482

| DATE  | SEQ  | POSTING<br>REF TXT | ATTORNEY<br>DOCKET<br>NBR | FEE<br>CODE | AMT         | BAL         |
|-------|------|--------------------|---------------------------|-------------|-------------|-------------|
| 07/01 | 1    | 09103873           | YAO-3950                  | 1202        | \$54.00     | \$12,014.07 |
| 07/01 | 248  | 78443929           | LMK-101                   | 7001        | \$670.00    | \$11,344.07 |
| 07/01 | 1008 | 76215589           | ITFT-GWT102US             | 7004        | \$150.00    | \$11,194.07 |
| 07/01 | 1012 | 76190891           | ITFT-GWT103US             | 7004        | \$150.00    | \$11,044.07 |
| 07/01 | 1026 | 2161726            | ANC-D170US                | 7205        | \$100.00    | \$10,944.07 |
| 07/01 | 1027 | 2161726            | ANC-D170US                | 7208        | \$200.00    | \$10,744.07 |
| 07/01 | 1028 | 2161726            | ANC-D170US                | 7206        | \$100.00    | \$10,644.07 |
| 07/01 | 1041 | 2176605            | ANC-D380US                | 7205        | \$100.00    | \$10,544.07 |
| 07/01 | 1042 | 2176605            | ANC-D380US                | 7208        | \$200.00    | \$10,344.07 |
| 07/02 | 130  | 10878240           | JMYT-241US                | 1001        | \$770.00    | \$9,574.07  |
| 07/02 | 131  | 10878240           | JMYT-241US                | 1202        | \$144.00    | \$9,430.07  |
| 07/02 | 424  | 10317564           | RPI-115US                 | 8021        | \$40.00     | \$9,390.07  |
| 07/06 | 5    | PAYMENT            |                           | 9203        | -\$5,000.00 | \$14,390.07 |
| 07/06 | 39   | PAYMENT            |                           | 9203        | -\$3,000.00 | \$17,390.07 |
| 07/06 | 290  | 10389422           | MATI-229US                | 8007        | \$20.00     | \$17,370.07 |
| 07/06 | 292  | 10288645           | MATI-219US                | 8007        | \$20.00     | \$17,350.07 |
| 07/06 | 294  | 10282648           | MATI-216US                | 8007        | \$20.00     | \$17,330.07 |
| 07/06 | 295  | 10308328           | MATI-220US                | 8007        | \$20.00     | \$17,310.07 |
| 07/07 | 221  | 2254101            | EPP-101US                 | 7205        | \$100.00    | \$17,210.07 |
| 07/07 | 222  | 2254101            | EPP-101US                 | 7208        | \$200.00    | \$17,010.07 |
| 07/09 | 1    | 10253757           | AOY-3957US                | 1201        | \$258.00    | \$16,752.07 |
| 07/09 | 7    | 10789507           | MATI-227US                | 8021        | \$40.00     | \$16,712.07 |
| 07/09 | 291  | 78447829           | TCRF-100                  | 7001        | \$670.00    | \$16,042.07 |
| 07/09 | 393  | 78447889           | TCRF-101                  | 7001        | \$670.00    | \$15,372.07 |
| 07/12 | 6    | 10087891           | KPG-5041US                | 8001        | \$30.00     | \$15,342.07 |
| 07/12 | 9    | 10370385           | KPG-5076US                | 8001        | \$30.00     | \$15,312.07 |
| 07/12 | 90   | 76074573           | ITDE-AES117US             | 7003        | \$100.00    | \$15,212.07 |
| 07/12 | 232  | 10615665           | KPG-5081US                | 8007        | \$20.00     | \$15,192.07 |

|            |                |               |      |           |             |
|------------|----------------|---------------|------|-----------|-------------|
| 07/13 16   | 10606606       | MKPA-104US    | 1201 | \$172.00  | \$15,020.07 |
| 07/13 275  | 10789506       |               | 8021 | \$40.00   | \$14,980.07 |
| 07/14 32   | 2173886        | LPI-135US     | 8521 | \$40.00   | \$14,940.07 |
| 07/14 143  | 10639302       | K&S-124US     | 8007 | \$40.00   | \$14,900.07 |
| 07/14 391  | 0147860537     | MATB-396US    | 8014 | \$25.00   | \$14,875.07 |
| 07/14 492  | 78174546       | PMR-103       | 7004 | \$150.00  | \$14,725.07 |
| 07/15 2    | 76423971       | PQC-378US     | 6005 | \$100.00  | \$14,625.07 |
| 07/15 3    | 76423971       | PQC-378US     | 6004 | \$150.00  | \$14,475.07 |
| 07/15 262  | 2173886        | LPI-135US     | 7205 | \$100.00  | \$14,375.07 |
| 07/15 263  | 2173886        | LPI-135US     | 7208 | \$200.00  | \$14,175.07 |
| 07/15 357  | 2173658        | AMT-810       | 7205 | \$100.00  | \$14,075.07 |
| 07/16 5    | PCT/US04/17597 |               | 9204 | -\$700.00 | \$14,775.07 |
| 07/16 149  | 75604061       | LPC-330       | 7004 | \$150.00  | \$14,625.07 |
| 07/19 240  | 2189316        | WCS-100       | 7205 | \$100.00  | \$14,525.07 |
| 07/19 241  | 2189316        | WCS-100       | 7208 | \$200.00  | \$14,325.07 |
| 07/19 343  | 78452146       | HCL-030       | 7001 | \$335.00  | \$13,990.07 |
| 07/19 1101 | 76331555       | ITDE-AES110US | 7003 | \$100.00  | \$13,890.07 |
| 07/21 129  | PCT/US01/42156 | SCO-101EP1    | 8007 | \$20.00   | \$13,870.07 |
| 07/22 228  | 2178265        | ITFT-BG175US  | 7205 | \$100.00  | \$13,770.07 |
| 07/22 229  | 2178265        | ITFT-BG175US  | 7208 | \$200.00  | \$13,570.07 |
| 07/22 245  | 78454265       | ITFT-BG288US  | 7001 | \$335.00  | \$13,235.07 |

|             |            |            |             |
|-------------|------------|------------|-------------|
| START       | SUM OF     | SUM OF     | END         |
| BALANCE     | CHARGES    | REPLENISH  | BALANCE     |
| \$12,068.07 | \$7,533.00 | \$8,700.00 | \$13,235.07 |

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PATENT FINANCE  
DIVISION



Dep & Ref # 301

PTO/SB/01 (04-04) (AW, 08/2004)

Approved for use through 7/31/2004. OMB No. 1601-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

|                      |                  |
|----------------------|------------------|
| Application Number   | 09/103,873       |
| Filing Date          | June 24, 1998    |
| First Named Inventor | Yoshihisa Nagano |
| Art Unit             | 2815             |
| Examiner Name        | Jose R. Diaz     |
| Attorney Docket No.  | YAO-3880         |

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### ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/Declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/  
Incomplete Application
  - ☐ Response to Missing Parts under  
37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a  
Provisional Application
- ☐ Power of Attorney, Revocation,  
Change of Correspondence  
Address
- ☐ Terminal Disclaimer
- ☒ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance Communication  
to Technology Center (TC)
- ☐ Appeal Communication to Board  
of Appeals and Interferences
- ☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply  
Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please  
identify below): Copy of Deposit  
Account Statement (July 2004);  
Postcard

Remarks:

### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

|                               |                         |                                   |        |
|-------------------------------|-------------------------|-----------------------------------|--------|
| Firm or<br>Individual<br>Name | Daniel N. Calder        | Registration No. (Attorney/Agent) | 27,424 |
| Signature                     | <i>Daniel N. Calder</i> |                                   |        |
| Date                          | July 26, 2004           |                                   |        |

### CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                          |                        |      |               |
|--------------------------|------------------------|------|---------------|
| Typed or<br>printed name | Lorraine C. Fox        | Date | July 26, 2004 |
| Signature                | <i>Lorraine C. Fox</i> |      |               |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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**Effective 10/01/2003. Patent fees are subject to annual revision.**

|                                |             |            |
|--------------------------------|-------------|------------|
| <b>TOTAL AMOUNT OF PAYMENT</b> | <b>(\$)</b> | <b>110</b> |
|--------------------------------|-------------|------------|

**Complete If Known**

|                      |                  |
|----------------------|------------------|
| Application Number   | 09/103,873       |
| Filing Date          | June 24, 1998    |
| First Named Inventor | Yoshinisa Nagano |
| Examiner Name        | Jose R. Diaz     |
| Art Unit             | 2815             |
| Attorney Docket No.  | YAO-3950         |

**METHOD OF PAYMENT (check all that apply)**☒ Check   ☐ Credit Card   ☐ Money Order   ☐ Other   ☐ None

☒ **Deposit Account (use as backup only):**

18-0350

**Rothner/Precision**

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below

☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

**1. BASIC FILING FEE**

| Large Entity |          | Small Entity |          | Fee Description        |
|--------------|----------|--------------|----------|------------------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |
| 1001         | 770      | 2001         | 385      | Utility filing fee     |
| 1002         | 340      | 2002         | 170      | Design filing fee      |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |
| 1005         | 180      | 2005         | 80       | Provisional filing fee |

**SUBTOTAL (1)**

(S) 0

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                       |                                 | Extra<br>Claims   |     | Fee from<br>below |                                | Fee<br>Paid |
|-----------------------|---------------------------------|-------------------|-----|-------------------|--------------------------------|-------------|
| Total Claims          | <input type="text" value="20"/> | -20 <sup>th</sup> | = 0 | X                 | <input type="text" value="0"/> | = 0         |
| Independent<br>Claims | <input type="text" value="3"/>  | -3 <sup>rd</sup>  | = 0 | X                 | <input type="text" value="0"/> | = 0         |
| Multiple<br>Dependent |                                 |                   |     | X                 | <input type="text" value="0"/> | = 0         |

| Large Entity |          | Small Entity |          | Fee Description  |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |
| 1201         | 88       | 2201         | 43       | Independent claims in excess of 3                          |
| 1203         | 290      | 2203         | 145      | Multiple dependent claim, if not paid                      |
| 1204         | 88       | 2204         | 43       | -- Reissue independent claims over original patent         |
| 1205         | 18       | 2205         | 9        | -- Reissue claims in excess of 20 and over original patent |

|              |       |
|--------------|-------|
| SUBTOTAL (2) | (S) 0 |
|--------------|-------|

50

\*For number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)**

### 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description  |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |
| 1053         | 130      | 1053         | 130      | Non-English specification  |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |
| 1251         | 110      | 2251         | 55       | Extension for reply within first month                                     |
| 1252         | 420      | 2252         | 210      | Extension for reply within second month                                    |
| 1253         | 950      | 2253         | 475      | Extension for reply within third month                                     |
| 1254         | 1,480    | 2254         | 740      | Extension for reply within fourth month                                    |
| 1255         | 2,010    | 2255         | 1,005    | Extension for reply within fifth month                                     |
| 1401         | 330      | 2401         | 165      | Notice of Appeal   |
| 1402         | 330      | 2402         | 165      | Filing a brief in support of an appeal                                     |
| 1403         | 290      | 2403         | 145      | Request for oral hearing   |
| 1451         | 1,510    | 1451         | 1,510    | Petition to Institute a public use proceeding                              |
| 1452         | 110      | 2452         | 55       | Petition to revive - unavoidable   |
| 1453         | 1,330    | 2453         | 665      | Petition to revive - unintentional   |
| 1501         | 1,330    | 2501         | 665      | Utility issue fee (or reissue)   |
| 1502         | 480      | 2502         | 240      | Design issue fee   |
| 1503         | 640      | 2503         | 320      | Plant issue fee  |
| 1460         | 130      | 1460         | 130      | Petitions to the Commissioner  |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |
| 1808         | 180      | 1808         | 180      | Submission of Information Disclosure Sheet                                 |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment for property (times number of properties) |
| 1809         | 770      | 2809         | 385      | Filing a submission after final rejection (37 CFR § 1.129(a))              |
| 1810         | 770      | 2810         | 385      | For each additional invention to be examined (37 CFR § 1.129(b))           |
| 1801         | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |

Other fees (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

**\$119**

17/01/2004

11-FC-1202

**RESUME**

Name (Editor/Type) :

**Daniel M. Gakler**

Registration No. Attorney/Agent/

27.424

**Telephone**

\_\_\_\_\_

810/407-0700

**Signature**

Dr. J. N. C. J.

Date:

June 11, 2004

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Adjustment date: 09/07/2004 EEKUBAY1  
07701/2004 PBRITTON 00000001 180350 09103873  
01 FC:1202 54.00 CR